

The Gazette of India

EXTRAORDINARY

PART II—Section 3

PUBLISHED BY AUTHORITY

No. 34] NEW DELHI, WEDNESDAY, FEBRUARY 15, 1956

MINISTRY OF COMMERCE & INDUSTRY

NOTIFICATIONS

New Delhi, the 15th February 1956

S.R.O. 325.—In exercise of the powers conferred by sub-clause (xi) of clause (a) of section 2 of the Essential Commodities Act, 1955, the Central Government hereby declares jute textiles to be an essential commodity for the purposes of that Act.

[No. F.15(7)-Jute/55.]

JUTE TEXTILES (CONTROL) ORDER, 1956

S.R.O. 326.—In exercise of the powers conferred by section 3 of the Essential Commodities Act, 1955 (10 of 1955) the Central Government hereby makes the following order, namely:—

1. **Short title, extent and commencement.**—(1) This order may be called the Jute Textiles (Control) Order, 1956.

(2) It extends to the whole of India except the State of Jammu and Kashmir.
(3) It shall come into force at once.

2. **Definitions.**—In this order, unless the context otherwise requires,

(a) “factory” means any premises including the precincts thereof in any part of which a manufacturing process is carried on with the aid of power;

(b) “Jute Controller” means the Jute Controller appointed by the Central Government; and

(c) “Jute textiles” includes any fabric made either wholly from jute or partly from jute and partly from any other material and includes jute yarn, twine and rope.

3. **Licence for manufacture of jute textiles in factories.**—(1) No person shall manufacture jute textiles in any factory unless he has applied for and obtained a licence in this behalf from the Jute Controller:

Provided that the owner of a factory which has been registered or licensed under the provisions of the Industries (Development and Regulation) Act, 1951 (65 of 1951) for the manufacture of jute textiles shall not be required to apply for and obtain a licence from the Jute Controller under this Order.

(2) Any person who was manufacturing jute textiles in any factory immediately before the commencement of this Order and who is not covered by the proviso to sub-clause (1) above shall, within three months of the date of issue of this Order, apply to the Jute Controller for a licence.

(3) Every application for a licence under this Order shall be in such form as may be prescribed.

(4) On receipt of such application the Jute Controller, after making such enquiry as he considers necessary, shall, by order in writing, either grant the licence or refuse to grant the same:

Provided that where the Jute Controller refuses to grant a licence he shall record a brief statement of the reasons for such refusal and furnish a copy thereof to the applicant.

(5) In granting or refusing to grant a licence the Jute Controller shall have regard to matters such as the following, namely:

- (a) the productive capacity of the factories which have already been registered or licensed under the provisions of the Industries (Development and Regulation) Act, 1951, for the manufacture of jute textiles;
- (b) the particular variety of jute textiles which the applicant proposes to produce;
- (c) the availability of raw jute from indigenous sources; and
- (d) the demand for jute textiles;

(6) Each application shall be accompanied by a Treasury Receipt for Rs. 25/-. The amount should be deposited in the nearest Government Treasury or in the nearest branch of the State Bank of India. (Amounts deposited at Bombay, Calcutta, Delhi and Madras should be deposited in the Reserve Bank of India instead of the State Bank of India). The Treasury or the bank should be asked to credit the amount to the Receipt Head "XXXII—Industries and Supplies—Miscellaneous Receipts."

(7) A licence granted to any person under this Order may contain such conditions as the Jute Controller thinks fit to impose consistently with the purpose of the Essential Commodities Act, 1955 and this Order.

4. Power to cancel licence.—(1) The Jute Controller may, after giving the licensee a reasonable opportunity of being heard cancel by order in writing a licence on the ground that there has been a breach of any of the conditions subject to which the licence was granted.

(2) Whenever a licence is cancelled, the Jute Controller shall record a brief statement of the reasons for such cancellation and furnish a copy thereof to the person whose licence has been cancelled.

5. Appeals.—Any person aggrieved by the order of the Jute Controller refusing to grant a licence or cancelling a licence may, within a period of thirty days from the date on which a copy of the brief statement of the reasons for such refusal or cancellation is furnished to the applicant or licensee, as the case may be, prefer an appeal to the Central Government; and the decision of the Central Government on such appeal and subject to such decision the order of the Jute Controller shall be final.

6. The Jute Controller may, with a view to securing compliance with this Order:—

- (a) require any person to give such information in his possession with respect to any business carried on by that person;
- (b) inspect or cause to be inspected any books or other documents belonging to or under the control of any person;
- (c) enter and search, or authorise any person to enter and search, any premises and seize, or authorise any person to seize, any article in respect of which he has reason to believe that a contravention of this order has been committed and any other article in the premises which he has reason to believe has been, or is intended to be used in connection with such contravention.

FORM 'A'

[Prescribed under clause 3(3) of the Jute Textiles (Control) Order, 1956].

APPLICATION FOR LICENCE.

This form is to be used in the following cases:—

Industrial undertakings producing on the 15th February, 1956 or at any time during the 12 months preceding that date, jute textiles in terms of clause 2(c) of the Jute Textiles (Control) Order, 1956.

1. Registration number if any, under the Indian Factories Act and the date of Registration.

2. Name of the Industrial undertaking.

Address:—

(a) Head Office.

(b) Factory.

3. Ownership. Whether proprietary, partnership, private limited or public limited.

4. Name of proprietors, partners or Board of Directors and their addresses.

5. Name and address of the owner of the factory in terms of section 3(f) of the Industries (Development and Regulation) Act, 1951.

6. Capital structure—

(a) In the case of companies registered under the Indian Companies Act, 1913.

	Number	Value	Total
(i) Authorised Capital—			
Preference shares.			
Ordinary shares.			
Deferred shares.			
Any other class of shares.			

(ii) Issued Capital—			
Preference shares.			
Ordinary shares.			
Deferred shares.			
Any other class of shares.			

(iii) Paid-up Capital—			
Preference shares.			
Ordinary shares.			
Deferred shares.			
Any other class of shares.			

(iv) Debentures.

(v) Other borrowings.

(b) In the case of others.

(i) Capital invested by the owner excluding borrowings.

(ii) Share of each of the partners or of members of an association.

(iii) Borrowings.

7. Name and address of Managing Agents, if any, and the principal clauses of the managing agency agreement.

8. (a) Nature of plant and equipment section by section. Main plant and machinery items grouped under different sections following the standard practice in vogue in the jute industry.

(b) Replacement requirements over next five years.

9. Transport facilities for incoming raw materials and outgoing finished products.

10. Manufacturing activities—

(a) Whether continuous or shift operations.

(b) Number of shifts generally worked.

(c) Number of working days in a month/year.

NOTE.—Allow for compulsory holidays and for possible interruptions arising from breakdowns, overhauling and maintenance repairs separately on the basis of your past experience.

(d) *Monthly installed capacity—

*(State the number of working days in a month and the number of shifts in a day).

Name of the manufactured product	Capacity

11. Past production including bye-product during the last three calendar years.

Name of principal product or bye-product.	Quantity	Value

12. Staff & Labour employed—

	Head Office	Factory	Total
(a) Managerial.			
(b) Supervisory.			
Technical.			
Non-technical.			
(c) Clerical.			
(d) Labour—			
Skilled.			
Semi-skilled.			
Unskilled.			
(e) Other categories, if any.			

Place.....

Date.....

Signature of applicant.

(To be filled in by the Government of India.)

Date of receipt of the application.

Signature of the receiving Officer.

FORM 'B'

[Prescribed under clause 3(3) of the Jute Textiles (Control) Order, 1956.]

APPLICATION FOR LICENCE

This form is to be used for application for a licence for the manufacture of jute textile in a factory not producing such textiles before the 15th February, 1956 under clause 3(1) of the Jute Textile (Control) Order, 1956.

1. Name and address of the applicant.
2. Whether it is proposed to be undertaken by proprietors, partners, private limited or public limited company.
3. Name and address of the Company.
4. Name of proprietors, partners, or Board of Directors and their addresses.
5. Name and address of the Managing Agents, if any.
6. Obligations, rights and privileges of Managing Agents in the constitution and working of the company.
7. Whether sanction for capital issue has been applied for, otherwise how the undertaking is proposed to be financed.

8. Details of proposed capital structure.—

(a) In the case of companies registered under the Indian Companies Act, 1913—

(i) Authorised Capital—

Number Value Total

Preference shares.
Ordinary shares.
Deferred shares.
Any other class of shares.

(ii) Issued Capital—

Preference shares.
Ordinary shares.
Deferred shares.
Any other class of shares.

(iii) Paid-up Capital—

Preference shares.
Ordinary shares.
Deferred shares.
Any other class of shares.

(iv) Debentures.

(v) Other borrowings.

(b) In the case of others—

(i) Capital invested excluding borrowings.

(ii) Share of each of the partners or members of an association.

(iii) Borrowings.

9. Proposed location* of the factory—

Tehsil.....

District.....

State.....

Reasons for the choice.

10. Lines of manufacture proposed—

Name of product and bye-product	*Monthly proposed installed capacity

*Basis of estimating installed capacity should be clearly stated, viz., whether the operation will be continuous or shiftwise and the number of days in a month and the number of shifts in a day assumed in estimating monthly capacity.

11. Number of estimating working days in a year.

12. Estimated requirements of main raw materials.

Name of raw material	Whether indigenous or imported; if the latter, the country of origin	Quantity required per year	Estimated Value

13. Requirements of capital equipment.

Total Value of equipment required.

(i) Imported—

(a) from sterling areas.

(b) from dollar and hard currency areas.

(ii) Indigenous—

14. Indicate your requirements of rail transport for movement of raw materials and finished products.

15. Staff and Labour—

Proposed to be employed on implementation of the project

(a) Managerial.

(b) Supervisory—
Technical.
Non-technical.

(c) Clerical.

(d) Labour—
Skilled.
Semi-skilled.
Unskilled.

(e) Other categories, if any.

Place.....

Date.....

Signature of applicant.

(To be filled in by the Government of India.)

Date of receipt of the application.

Signature of the receiving Officer.

[No. F. 15(7)-Jute/55.]

H. V. R. IENGAR, Secy.